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KENYA'S ROLE IN BROKERING PEACE IN SUDAN

HISTORY

Beginning in 1982, Sudan for the second time in its history, entered into a bloody civil war between northern Sudan and southern Sudan. The civil war escalated in 1983 when a military junta took control of the weak government in Khartoum. The war resulted in the displacement of over four million Sudanese people, many of whom fled for refuge in Kenya.

KENYA'S ROLE IN BROKERING PEACE IN SUDAN

IGAD


Kenya is a founding member of the inter-governmental authority on Development (IGAD), which was founded in Djibouti in 1985 and now is comprised of seven African countries: Djibouti, Ethiopia, Kenya, Somalia, Sudan, Uganda and Eritrea. The peace talks between the Sudanese government and the Sudan People's Liberation Movement/Kony (SPLM) were carried out under the auspices of IGAD. Kenya's ambassador, Mzee Mchale, is the chair of IGAD sub-committee on Sudan.

IGAD's search for peace in Sudan dates back to IGAD's engagement in the Sudan peace process began on 7 September 1993 when it established a Standing Committee on Peace to assist negotiations between the Sudanese government in Khartoum and the rebel forces from southern Sudan in an attempt to end the civil war.

In July 1993, the IGAD Sub-Air Sectoral Committee on the Conflict in Sudan established a "Secretariat for the IGAD Peace Process on the Sudan" based in Nairobi with the mandate "to carry out continuous and sustained mediation efforts with a view to arriving at a peaceful resolution of the conflict."

Beginning in 2002, the government of Kenya helped to facilitate the Comprehensive Peace Agreement (CPA), also known as the Nacuru Agreement, meant to end the second Sudanese civil war. The CPA resulted in six key protocols:

- In 2002, The Nacuru Protocol - signed in Nacurak, Kenya and agreed on to cease fire of governments and governance.



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EAST AFRICAN COMMUNITY

The East African Community

The East African Community (EAC) is the regional intergovernmental organization comprising the Republic of Kenya, Uganda, Tanzania, Rwanda and Burundi. Currently headquartered in Arusha, Tanzania, the EAC, as it is known today, was founded on July 7, 2003. The EAC seeks to deepen the economic, political, social and cultural integration of its member countries to create a more prosperous, secure and united East Africa. The EAC aims to establish a common currency by 2012 and become a political federation by 2015, further joining its member states.

The establishment of the East African Community has created an attractive investment opportunity for both domestic and foreign investors who have seized the chance to invest in businesses in the flourishing region. According to the United Nations 2010 World Investment Report, the region attracted more than \$2 billion in foreign investment in 2009 alone.

The East African Common Market

On July 1, 2010, the EAC member states officially launched the East African Common Market, removing trade barriers between and among the EAC nations to boost regional trade. The Common Market provides citizens, products, capital and business services to move freely throughout the EAC countries, giving the EAC member states access to an increased market of 135.5 million people and a combined GDP of \$74.5 billion.

The three major economies in the EAC (Kenya, Tanzania and Uganda) have diverse strengths that make the region ideal for both domestic and foreign investment and trade. Kenya has an advanced economy, the largest in the EAC, while Tanzania has vast expanses of farmland and other natural resources such as timber and gold, and Uganda is home to huge oil deposits discovered in 2005.

Kenya in the EAC

As the largest economy in East Africa, Kenya has been an integral part of establishing the East African Common Market, and ensuring its success. Kenya and Rwanda were the first EAC members to forge work permits for citizens of other EAC member states in an effort to facilitate the free



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CONSTITUTIONAL REFORMS

Kenya's new Constitution was promulgated on August 27, 2010. The Constitution encompasses a wide range of reforms that promise to ensure a free and just democracy in Kenya. The new Constitution:

1. Establishes Measures to Curb Corruption

A number of provisions in the Constitution decentralize the government, and allow for stronger checks and balances to curb corruption.

- For example, the Constitution deepens the separation of executive and legislative branches by making Parliament more accountable, increasing scrutiny over state finances, and improving oversight over the cabinet members, and allowing Parliament to exercise truly independent oversight of the executive branch.
- Facts 2 and 3 also support the initiative to curb corruption.

2. Increases the Independence of the Three Branches of Government


The Constitution articulates the principle of separation of powers. Specifically, the Constitution:

- adds a Senator for each region of Kenya so that each of the 47 counties will have a Senator;
- adds a lower house for each constituency of Kenya; there are currently 210 constituencies and the members of the assembly will be directly elected for by the people of Kenya; and
- gives Parliament the ability to remove presidential judicial nominees and determine appointments.


3. Constrains the Power of the Executive Branch

The Constitution establishes a system of checks and balances that will serve to constrain the power of the executive branch. The Constitution specifically:

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WAR ON CORRUPTION

Kenya recognizes that corruption in any form is harmful to the nation. Through the country's ability to become a middle income nation and to attract foreign investment and the ability to deliver government services, since the passage of the new Constitution, President Mwai Kibaki, the Kenya Anti-Corruption Advisory Board and the Kenya Anti-Corruption Commission under the leadership of Professor Patrick Lumumba have redoubled their efforts to make Kenya a stronger and more transparent nation.

HISTORY

Kenya Anti-Corruption Commission (KACC)
Kenya has been fighting the perception of corruption since 1995 with the Prevention of Corruption Act. The first Kenya Anti-Corruption Authority (KACA) was set up in 1997. However, in 2000, the KACA was disbanded as government officials felt it overlapped with the duties of the Attorney General and the Commissioner of Police. In 2003, the Kenya Anti-Corruption Authority was re-established as the Kenya Anti-Corruption Commission (KACC) under the Anti-Corruption and Economic Crimes Act.


In August 2010, Professor Patrick Lumumba was appointed as director of the KACC.

Police Returns

In September 2009, President Mwai Kibaki replaced Police Commissioner Hussein Ali with the current Police Commissioner, Nathaniel Njiru. In 2009, the Commissioner of the Police's parliamentary General Service Unit (GSU). The Commissioner tasked his team in instituting reforms and police corruption. He appointed a team of senior officers led by senior deputy commissioner of police in charge of reforms, Mr. Jonathan Kibet, to start implementing police reforms right away. To date, they have redeployed over 100 officers to fight corruption throughout the Kenya police force.

THE NEW CONSTITUTION FIGHTS CORRUPTION

A number of provisions in the Constitution seek to bring the government and allow for stronger checks and balances to curb corruption including:



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